

## **REMARKS**

### ***Drawings***

In response to the examiner's objection to the drawings, a proposed drawing correction is included. The reference number "14" has been added to fig. 1. In addition, the specification has been amended on page 12, line 4 to change – clean water-- to solution. Applicant requests the withdrawal of the objections to the drawings. Applicant will file a separate drawing amendment to provide new formal drawings including the proposed drawing correction.

### ***Specification***

The examiner has objected to the disclosure because of several informalities. The specification has been amended as suggested by the examiner.

The title is objected to as not being clearly indicative of the invention to which the claims are directed. The title has been amended to reflect the presented claimed invention.

### ***Amendments to the Claims***

Upon entry of the foregoing amendment, claims 3, 35-54, 56-58 and 66-69 are pending in the application. Of the pending claims, claims 3, 39 and 54 are independent.

### ***I. Claim Rejections under 35 U.S.C. § 112***

The Examiner has rejected claims 1-3 and 35-69 under 35 U.S.C. 112, second paragraph, as being indefinite. Specifically, claims 1, 33, 40-42, 47-50, 54, 62 and 66 were rejected for various reasons.

Claims 1, 2, 55, and 59-65 have been cancelled and applicant requests the withdrawal of the rejection of these claims.

Claims 40, 41, 42, 47, 49 and 50 have been rejected for a failure to include the phrase "liquid discharging". Applicant submits that these claims meet the requirements of the second paragraph of 35 U.S.C. § 112. There is no confusion as to the scope of the claims (i.e. clearly "the first jet tip" refers to the previously recited "a first liquid discharging jet tip" etc.). Applicant is not aware of any rule, law or case prohibiting the abbreviated notation used in the claims. In the absence of any such authority, the applicant traverses the rejection.

Claim 48 has been rejected as being unclear. Claim 48 has been amended to specify that the indicator is moved between the first and second positions as the valve is moved between the first and second positions. The selection mechanism performs the function of moving the valve between the first and second positions and the indicator performs the function of indicating the position of the selection mechanism.

Claim 54 has been rejected as being unclear. Claim 54 has been amended to remove reference to the "two modes of operation".

## ***II. Claim Rejections under 35 U.S.C. § 102(b) and § 103(a)***

The Examiner has rejected claims as being anticipated by or obvious in view of U.S. Patent Nos. 5,455,982 ("the Armstrong patent") and 6,247,202 (the "Lesco patent"). The Armstrong patent discloses a single delivery line coupled to a valve that throttles the flow to create different flow rates. There is no disclosure of alternative structure for the different flow rates, rather the device employs replaceable elements to

create the different applications. The Lesco patent discloses separate valves and separate actuators. The Lesco patent discloses a device that can deliver cleaning solution through the main line alone or both the main line and the auxiliary line, but cannot deliver cleaning solution through the auxiliary line alone (column 7, lines 34-44). As such, neither the Armstrong nor Lesco patents disclose a device that alternatively supplies cleaning solution to separate outlets.

**A.     *The Claimed Invention***

The invention is a dual mode cleaning device having separate spray nozzles that are alternatively supplied cleaning solution as determined by the selection mechanism. More specifically, the spray nozzles are alternatively supplied solution from the solution pump in the first and second positions of the selection mechanism.

**B.     *The Prior Art***

The Armstrong patent discloses a cleaning device having a valve used to reduce the flow rate of cleaning solution to the work surface. The Lesco patent discloses a cleaning device having a mechanism to increase the flow of cleaning solution to the work surface. None of the prior art teaches or suggests a cleaning system having separate supply lines, separate jet tips and a selection mechanism to alternatively supply the jet tips. The prior art is designed to supply liquid to one or both sets of spray nozzles but not to one or the other.

**The rejection of claims 1, 54 and 66-69**

The examiner has rejected claims 1, 54, and 66-69 as being clearly anticipated by the Armstrong patent. Claim 1 has been cancelled. Claim 54 has been amended to include the limitations of originally filed claims 1, 2 and 55. The Armstrong patent does

not disclose or suggest "first and second conduits communicating the spray nozzle chamber with the selection mechanism, only the first conduit communicating with the source of liquid in the first position of the valve and only the second conduit communicating with the source of liquid in the second position of the valve." as required by amended claim 54. Claims 66-69 have been amended to depend from claim 3 (re-presented in independent form). The Armstrong patent does not disclose or suggest the requirement of claim 3 that "a deep clean jet tip in fluid communication with said ball valve such that when said ball valve is moved to said first position said deep clean jet tip is in fluid communication with said solution pump outlet" in combination with "a fast dry jet tip in fluid communication with said ball valve such that when said ball valve is moved to said second position said fast dry jet tip is in fluid communication with said solution pump outlet". For at least these reasons, claims 66-69 are not anticipated by the Armstrong patent. For these reasons, applicant requests the withdrawal of the rejection of claims 1, 54, and 66-69.

**The rejection of claims 1, 39-47, 49-59, 62 and 66-69**

The examiner has rejected claims 1, 39-47, 49-59, 62 and 66-69 as being clearly anticipated by the Lesco patent. Claims 1, 55, 59 and 62 have been cancelled. Claim 39 has been amended to include the limitations of original claims 1 and 2. The Lesco patent does not disclose or suggest that "the selection mechanism being operable to alternatively select one of the first jet tip and the second jet tip for communication with the source of liquid and for discharging liquid from the source of liquid" as required by amended claim 39. Claims 40-47 and 49-53 depend from claim 39 and are not anticipated for at least the reasons stated above. Claim 54 has been amended to

include the limitations of originally filed claims 1, 2 and 55. The Lesco patent does not disclose or suggest “first and second conduits communicating the spray nozzle chamber with the selection mechanism, only the first conduit communicating with the source of liquid in the first position of the valve and only the second conduit communicating with the source of liquid in the second position of the valve” as required by amended claim 54. Claims 56-58 depend from claim 54 and are allowable at least for the reasons set forth above. Claims 66-69 depend from amended claim 3. The Lesco patent does not disclose or suggest the requirement of claim 3 that “a deep clean jet tip in fluid communication with said ball valve such that when said ball valve is moved to said first position said deep clean jet tip is in fluid communication with said solution pump outlet” in combination with “a fast dry jet tip in fluid communication with said ball valve such that when said ball valve is moved to said second position said fast dry jet tip is in fluid communication with said solution pump outlet”. Claims 66-69 are not anticipated by the Lesco patent for at least these reasons. Accordingly, applicant requests withdrawal of the above rejection of claims 1, 39-47, 49-59, 62 and 66-69.

#### **The rejection of claims 2-3 and 35-38**

The examiner has rejected claims 2-3 and 35-38 as being obvious when considering the Lesco patent in view of Kockanowicz and Huffman. Claim 2 has been cancelled. The Lesco patent does not disclose or suggest the requirement of claim 3 that “a deep clean jet tip in fluid communication with said ball valve such that when said ball valve is moved to said first position said deep clean jet tip is in fluid communication with said solution pump outlet” in combination with “a fast dry jet tip in fluid communication with said ball valve such that when said ball valve is moved to said

second position said fast dry jet tip is in fluid communication with said solution pump outlet". The Kochanowicz and Huffman patents, when considered alone, do not suggest the claim requirement above. Likewise, the Kochanowicz and Huffman patents provide no motivation to modify the Lesco patent as required by the claims. Claims 35-38 depend from claim 3 and are allowable for at least the reasons presented above. Accordingly, applicant requests the withdrawal of the rejection.

**The rejection of claims 48, 60-61 and 63-65**

The examiner has rejected claims 48, 60-61 and 63-65 as being obvious in view of the Lesco patent. Claims 60-61 and 63-65 have been cancelled. Claim 48 depends from claim 47 which depends from claim 39. As discussed above, the Lesco patent fails to disclose or suggest "the selection mechanism being operable to alternatively select one of the first jet tip and the second jet tip for communication with the source of liquid and for discharging liquid from the source of liquid" as required by claim 39. There is no motivation to modify the Lesco patent to include this limitation. Accordingly, applicant requests withdrawal of the rejection.

**C. *The Patent Applied to Independent Claims 3, 39 and 54***

Applicants respectfully submit that the Armstrong patent does not teach each element of the present invention. Claim 3 has been re-presented in independent form including the limitations of claims 1 and 2. Specifically, the Armstrong patent does not teach the element of "a deep clean jet tip in fluid communication with said ball valve such that when said ball valve is moved to said first position said deep clean jet tip is in fluid communication with said solution pump outlet" in combination with "a fast dry jet tip in fluid communication with said ball valve such that when said ball valve is moved to

said second position said fast dry jet tip is in fluid communication with said solution pump outlet". Because the Armstrong patent does not teach this element, independent claim 3 is not anticipated by the Armstrong patent.

Claim 39 has been amended to include the limitations of claims 1 and 2. Specifically, the Armstrong and Lesco patents do not teach the element of "the selection mechanism being operable to alternatively select one of the first jet tip and the second jet tip for communication with the source of liquid and for discharging liquid from the source of liquid." Because the Armstrong and Lesco patents do not teach this element, independent claim 39 is not anticipated by nor obvious in view of the Armstrong and Lesco patents.

Claim 54 has been amended to include the limitations of claims 1, 2 and 55. Specifically, the Armstrong and Lesco patents do not teach the element of "first and second conduits communicating the spray nozzle chamber with the selection mechanism, only the first conduit communicating with the source of liquid in the first mode of operation and only the second conduit communicating with the source of liquid in the second mode of operation.". Because the Armstrong and Lesco patents do not teach this element, independent claim 54 is not anticipated by nor obvious in view of the Armstrong and Lesco patents.

#### ***D. The Patent Applied to the Dependent Claims***

For at least the reasons set forth above all of the dependent claims are allowable. In addition, each dependent claim sets forth additional structure and limitations distinguishing over the prior art of record and establishing an independent basis of allowability apart from the ones set forth above.

**III. Conclusion**

Accordingly, Applicants respectfully submit that independent claims 3, 39 and 54 are allowable over the prior art of record, including the Armstrong and Lesco patents. For similar reasons, and for the additional reasons set forth above, Applicants urge that the dependent claims are also allowable.

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,



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